

**Red Lion Borough Council
Meeting Minutes
Monday, July 14th, 2014**

Members

Cynthia Barley
Danielle Kabacinski
Christina Frutiger
Kelly Henshaw
Dennis Klinedinst
Anthony Musso
Walter Hughes

Others

Dianne Price, Borough Manager
Jeff Shue, Engineer
D. Michael Craley, Solicitor
Brett Patterson, Public Works
Stacy Myers, Recording Sec'y

Visitors

Julie Yahnke
Pastor Jay McWilliams
Loren McCleary
Dr. Kevin Schmidt

Stephanie Weaver
Robert Frutiger
Dr. Douglas Schmidt
Margaret Schmidt

1. Vice President Klinedinst called the meeting to order @ 7:07p.m. in Council President Hughes' absence. Pastor Jay McWilliams from Pleasant View Church of the Brethren offered a prayer and everyone present participated in the pledge to the flag. Mr. Hughes arrived @ 7:10p.m. and took over the meeting.
2. Mr. Klinedinst requested two corrections to the June 9th, 2014 Meeting Minutes. **Danielle Kabacinski's name should be listed under "Members", and under "Public Works", 1st bullet point, "parking is only allowed on one side" should be omitted.** With these changes, Mr. Musso made a motion to approve the June 9th, 2014 Meeting Minutes; Mr. Henshaw seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**—Loren McCleary addressed Council about the impending York Area Regional Police contract, stating that if another kind of business caused concerns as YARPD has, the Borough would probably quit doing business with them. He recommends going with its own Borough Police force, stating that a tax increase is probably inevitable either way. Councilman Musso said Borough Council is reviewing all the options to see what's best for the citizens of Red Lion.
4. **PUBLIC SAFETY**—Mr. Musso:
 - **Fire Company Report**—Julie Yahnke reported:
 - The Open House held in June went very well and was well attended.
 - The monthly report for June is not in yet
 - Discussion about the Fire Police was recently held. There is only 1 Fire Policeman at this time, but he will try to bring in help from other municipalities for upcoming events.
 - Two Workers Compensation cases have been filed in the last month
 - The Fire Company has recently borrowed barricades from the Borough. A sign-up sheet will be put up at the Municipal Building for future use.
 - **Ambulance Report**—report distributed
 - **EMA Report**—Scott Kopp was not present tonight. Mrs. Price stated that EMA is working with the Red Lion Area Business Association for this year's Street Fair.
 - **Additional Police information**—Mr. Musso stated there are a few addresses in the Borough that make repeated Police calls and waste a lot of Police time. He asked the Police Commission about the possibility of fining these residents for these "nuisance" calls. More information on this is under the Solicitor's Report.

5. **MAYOR KOPP'S REMARKS AND RECOMMENDATIONS**—Mayor Kopp was not present tonight; no report.
6. **AGREEMENTS**—Agreement to purchase 33-41 West Broadway for a cost of \$55,000 + the water bill, which is approx. \$3,000 (and will be negotiated with the Municipal Authority). The \$55,000 cost would be to raze the buildings there in order for the Public Works employees to pave. This would offer 28-29 parking spaces for public parking with meters. Mr. Henshaw made a motion authorizing Mr. Craley to draft this agreement; Mrs. Frutiger seconded. All were in favor; motion carried.
7. **RESOLUTIONS**—Resolution 2014-08 to opt-in to the York County MS-4 Plan. This is a requirement for the Borough as over half of municipalities in Pennsylvania have entered into a Chesapeake Bay Pollutant Reduction Plan. Jeff Shue stated this should save the Borough money as the County will oversee the best projects to reduce nitrogen, phosphorus and pollutants to the bay rather than each municipality do what they can afford. Additionally, Department of Environmental Protection looks very favorably on this project. Red Lion Borough's contribution is \$2,200 over a 5-year period. An Intermunicipal Agreement will be the next step once it's known which municipalities will opt-in. Mr. Klinedinst made a motion to adopt this Resolution to opt-in to the York County Plan; Mrs. Barley seconded. All were in favor; motion carried.
8. **ENGINEER'S REPORT**—no report
9. **SOLICITOR'S REPORT**—Mr. Craley reported:
 - We will probably be able to settle on the Lutz property by the end of July
 - Nuisance Ordinance—specifically Article 10, Part 3 of the Ordinance. Sections 301, 303 & 304 are like the Borough's explanation of disorderly conduct. In relation to the repeated "nuisance" Police calls from certain residents/addresses in the Borough, these Sections name a nuisance as "any condition upon property in the Borough other than infrequently.....to cause disturbance or interference with peaceful use of property in the Borough". Mr. Craley said while repetitive conduct and more frequent occurrences of this conduct are not tangible nuisances; they are nuisances just the same. Per Section 303, these property owners or violators can be given a 10-day notice stating they will be given a citation if the behavior (or nuisance) does not stop. Per Section 304, if the behavior does not stop, the Borough can take the violator to District Court and they can be fined \$1,000 for each incident. Prison time may follow if fines are not paid. Mr. Musso made a motion authorizing Mr. Craley to act on the Nuisance Ordinance and send a 10-day notice to any violators of the Ordinance; Mrs. Kabacinski seconded. All were in favor; motion carried.
10. **PARKS AND RECREATION**—Mr. Henshaw reported:
 - July 3rd Fireworks events—fundraiser events raised \$4,931.64 and \$241 was collected from door-to-door donations
 - Splash Pad is open & operating well with a couple minor repairs, but the parts were under warranty.
 - Halloween events—Parade will be Monday, October 27th, 2014 @ 7:00p.m.
Haunted Mile will be brought back this year—more details to come
 - Mike Zelger approached the Recreation Department about joining an Athletic Association in order to increase numbers for baseball and softball, which are currently down for baseball in Red Lion. The Association would collect fees, line fields, etc, and Red Lion would simply lease the fields. The Association can recruit players from other areas to come play, but the teams would include all levels of play and players. Other municipalities have Athletic Associations also and Red Lion Recreation will try this for a one-year trial period.
 - Grace Lutheran Church is planning a day of activities and services in September to be held in Fairmount Park. Date TBD.

11. **MUNICIPAL SERVICES**—Mrs. Barley reported:

- With the First Avenue Water Main Replacement project coming up, it will cause a parking shortage for residents. Mrs. Price was going to contact St. Paul's and Bethany U.M. Churches for use of their municipal lots for a short period of time, probably two weeks. Mrs. Barley made a motion authorizing Mrs. Price to approach the churches; Mr. Musso seconded. All were in favor; motion carried.
- Red Lion Municipal Authority has invited Borough Council to tour the new water treatment facilities on Saturday, July 26th, 2014. Those interested should RSVP.
- The Municipal Authority will donate a plaque in honor of Clair Paules and all his years of service to the Authority. The plaque will be placed on a park bench in Fairmount Park near the memorial.

12. **PUBLIC WORKS**—Mr. Klinedinst reported:

- 2014 Bid Project—Bid as two projects; Jeff Shue explained:
 - Project #1—Edgewood area which includes Summit, Ivy, Holly & a portion of Dixie Drive. A Bituminous Fiber Seal will be used to cover cracks, followed by a double application of Microsurfacing. Stewart & Tate was the only bidder with a bid of \$106,911.60. They will be able to start as soon as bids are accepted.
 - Project #2—Includes Summit & Church Lane, which are both alleys. Church Lane will be milled and paved. Summit Lane has two parts. 1) To cover existing concrete with a good thickness of blacktop, Stewart & Tate were low bidder for this at \$65,035.10. 2) To excavate the material currently there & rebuild the alley; Stewart & Tate were low bidder at \$105,902.05.
 - After some discussion, Mrs. Barley made a motion to award Project #1 as bid to Stewart & Tate for a cost of \$106,911.60. Mr. Klinedinst seconded. All were in favor; motion carried.
 - Mrs. Barley made a motion to award Project #2 to Stewart & Tate at the Base Bid of \$65,035.10, plus the Alternate of \$105,902.05. Mrs. Kabacinski seconded. All were in favor; motion carried.
- Approval of payment for High Street project—Mrs. Barley stated that after replacing the curbing, a parking space is missing at the B & L lot. Jeff Shue will meet with Mrs. Barley to discuss the work in this area. Because this doesn't have anything to do with Mrs. Barley's concern, Mr. Musso made a motion to approve the payment of \$128,979.15; Mr. Henshaw seconded. All were in favor; motion carried.
- Purchase of a new bucket truck—Mr. Henshaw made a motion not to exceed \$25,000 for the purchase of a new truck; Mr. Klinedinst seconded. All were in favor; motion carried.

13. **PLANNING, ZONING & REDEVELOPMENT**—Patton Veterinary Land Development Plan approval. They are proposing to add a 1,600 sq. ft. addition to their existing building to keep cats & dog patients separate. The expansion will add 8 parking spaces to existing lot, and dog runs will also be relocated. Their Engineer explained there will be no big impacts on grading or the site for stormwater, so they are requesting a **Waiver of infiltration & leaching**. Leaching pits are already on the property to collect stormwater runoff. They are also requesting a **Waiver of a preliminary plan** because it will not involve a large construction. The third **Waiver request is for curbing**, as curb stops will be added in lieu of curbing.

Mr. Musso made a motion to approve the three Waivers as discussed and to approve the plan with the condition that a new Operation & Maintenance Agreement for stormwater be executed. Mrs. Barley seconded. All were in favor; motion carried.

14. **ADMINISTRATION**—Mrs. Frutiger reported a Teamsters Union meeting was held today. Next month's meeting is to be determined.

15. **COMMUNICATION**—Letters regarding Nuisance Ordinance violations as discussed earlier will be forwarded to York Area Regional Police.

16. **Manager's Comments**—Mrs. Price distributed her report
17. **Approval of bills**—Mrs. Barley made a motion to approve the bills; Mr. Henshaw seconded. All were in favor; motion carried.
18. **Adjournment**—Mr. Henshaw made a motion to adjourn the meeting @ 8:21p.m. Council President Hughes noted the next Council Workshop meeting will be held on Monday, 8/4/2014 @ 7:00p.m. and Council meeting will be held on Monday, 8/11/2014 @ 7:00p.m. Motion for adjournment was carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary